

**UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
Asheville Division**

In re:)	Chapter 11
)	
BON WORTH, INC.,)	Case No. 19-10317
)	
Debtor.)	
_____)	

**DEBTOR’S *EX PARTE* MOTION FOR ENTRY OF AN ORDER SCHEDULING AN
EXPEDITED HEARING ON BID PROCEDURES MOTION**

Bon Worth, Inc. (“Bon Worth”, the “Company,” or the “Debtor”), debtor and debtor-in-possession in the above-captioned case, hereby moves the Court (the “Motion”) for entry of an order, on an *ex parte* basis, scheduling an expedited hearing on the Bid Procedures Motion (defined below) on Friday, September 20, 2019. In support of this Motion, the Debtor respectfully states as follows:

1. The statutory bases for the relief requested herein are Rule 9006(c) of the Bankruptcy Rules and Local Rule 9006-1.
2. On August 16, 2019 (the “Petition Date”), the Debtor filed its voluntary petition for relief under Chapter 11 of the Bankruptcy Code.
3. The Debtor continues to operate its business and manage its property as debtor in possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code. No creditors’ committee, trustee, or examiner has been appointed in this case as of the date of this motion.
4. Contemporaneously herewith, the Debtor filed a Motion for Order (I) Authorizing and Scheduling Public Action for Sale of Substantially All of the Debtor’s Assets Free and Clear of Any and All Liens, Claims, Encumbrances and Other Interests; (II) Approving

Procedures for Submission of Qualified Overbids; (III) Approving Bid Protections; and (IV) Approving Form and Manner of Notice Pursuant to Fed R. Bankr. P. 2002 (the “Bid Procedure Motion”).

5. The Debtor is serving notice of the filing of and hearing on the Bid Procedures Motion, via first class United States Mail on the same date as this motion, on the parties set forth below (collectively, the “Notice Parties”):

- a. The holders of the twenty largest general unsecured claims against the Debtor;
- b. The Office of the United States Bankruptcy Administrator for the Western District of North Carolina;
- c. Counsel for Crossroads Funding I, LLC, holder of the Debtor’s prepetition senior secured debt;
- d. Counsel for Merchant Coterie, Inc., holder of the Debtor’s prepetition junior secured debt; and
- e. Image Solutions, LLC and GreatAmerican Financial Services Corporation.

WHEREFORE, the Debtor respectfully requests that the Court enter an order scheduling an expedited hearing on the Bid Procedures Motion for Friday, September 20, 2019 at the United States Bankruptcy Court for the Western District of North Carolina, Asheville Division, 100 Otis Street, Asheville, NC 28801-2611 at 10:30 (Eastern Time), and for such other and further relief to the Debtor as the Court may deem proper.

This the 10th day of September, 2019.

OFFIT KURMAN

/s/ Amy P. Hunt

Paul R. Baynard

N.C. State Bar No. 15769

Amy P. Hunt

N.C. State Bar No. 34166

301 S. College Street, Ste. 2600

Charlotte, NC 28202-6006

Telephone: 704-377-2500

Facsimile: 704-714-7935

E-mail: paul.baynard@offitkurman.com

E-mail: amy.hunt@offitkurman.com

Proposed Counsel to the Debtor

4816-6808-1572, v. 1